



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

December 6, 1995

Russell Feller
Feller Holding Corporation
1203 West Sunset Boulevard
St. George, Utah 84770

Re: Amended Notice of Intention to Commence Small Mining Operations, Sandstone Boulders (Cobblestone) Project, S/053/023, Washington County, Utah

Dear Mr. Feller:

Thank you for your Notice of Intention to Commence Small Mining Operations, received by the Division on November 20, 1995. The application for the Sandstone Boulders Project is located in Sections 3 and 10, T43S, R16W and Section 34, T42S, R16W, SLBM, Washington County, Utah. Due to our neighboring and related sites policy, this application is being amended to your current Cobblestone file, located in Section 15, T43S, R16W. This amended notice is complete and no additional information is required by our office at this time.

However, it is our understanding that your operations may be located within an area known to contain a threatened and endangered plant species, the dwarf bearclaw-poppy (*Actomecon humilis*). *Because you propose to affect state leased lands, you are advised to contact the School Institutional Trust Lands Administration (SITLA), to determine if a survey/clearance will be required before commencing any mining related activities in the proposed locations.*

The operator must also provide formal written notification and obtain written approval from SITLA before commencing mining operations on state leased lands. Therefore, our completeness acknowledgment and/or approval of your notice of intention to conduct exploration or mining activities on state trust lands is not effective until you receive approval from SITLA. We have forwarded a copy of your small mining notice to their office. Please contact them directly for any additional permitting requirements. Their address is: School and Institutional Trust Lands Administration, 355 West North Temple, Suite 400, Salt Lake City, Utah 84180-1204; phone number (801) 538-5508.

The variance section of your application was not checked; therefore we assume no variances are being requested. You will be held responsible for abiding by all of the reclamation practices upon completion of your project. For your reference, we have enclosed copies of our summarized rules regarding "Operation and Reclamation Practices", and the statutory penalty for failure to reclaim a minesite (SMO-1). Please give special consideration to item #10 of the "Operation and Reclamation Practices.



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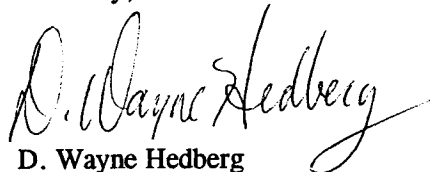
Stockpiling surficial topsoil material before you begin mining will help ensure successful revegetation efforts upon final reclamation of the minesite. If the area being mined is a solid rock outcrop, or if the land surface is very rocky, then soil stockpiling is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements.

A Memorandum of Understanding between this Division and the State Department of Environmental Quality (DEQ) requires us to notify them upon receipt of a mining application. If you haven't already done so, you are advised to contact their office prior to starting your small mining operation to determine whether additional permits and/or approvals are required. We will forward a copy of this letter and your notice to the DEQ for their review. Their address and phone number is: Department of Environmental Quality, 288 North 1460 West, Salt Lake City, Utah, 84116, (801) 538-6146.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,



D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosure: SMO-1
cc: Kiran Bhayani, DWQ w/NOI
John Blake, SITLA
Tracking File
S053023.noi